



OFFICE OF THE SECRETARY OF DEFENSE
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ADMINISTRATION &
MANAGEMENT

30 July 1997

ADMINISTRATIVE INSTRUCTION NO. 33

SUBJECT: Merit Promotion

- References:** (a) Administrative Instruction No. 33, subject as above, January 21, 1988 (hereby canceled)
- (b) Title 5, Code of Federal Regulations, Parts 330,334, and 335
- (c) DoD 1400.20-1-M, "**DoD-Program** for Stability of Civilian Employment Policies, Procedures and programs Manual," September 1990, authorized by DoD Directive 1400.20, June 16, 1981
- (d) Administrative Instruction No. 37, "Employee Grievances," February 24, 1989

A. REISSUANCE AND PURPOSE

This Instruction reissues reference (a) to disseminate policies and updated responsibilities and procedures for selection of employees covered by merit promotion.

B. APPLICABILITY AND SCOPE

1. This Instruction

a. Applies to the Office of the Secretary of Defense (**OSD**), the Chairman of the Joint Chiefs of Staff and all other activities deriving administrative support from Washington Headquarters Services and Joint Staff.

b. Applies to **all** positions at **GS/GM-15** and below and wage grade **positions that require** a competitive selection as defined in reference (b). It may be used, as **necessary**, to fill excepted service positions. Bargaining unit positions may be subject to provisions of a negotiated agreement.

2. Does not apply to **organizations** operating under **separate** agency merit promotion plans or negotiated agreements.

C. POLICY

1. Positions under this Instruction shall be filled from among the best qualified available candidates.

2. Merit selections will be made **without** regard to political, religious, or labor organization affiliation or nonaffiliation, marital status, race, color, sex, **national** origin, **nondisqualifying** disability, or age.

3. Evaluation of candidates shall be based solely on job-related criteria that relate to successful performance in the position to be filled. Due weight shall be given to performance appraisals and incentive awards.

4. All aspects of the Office of **Personnel** Management (**OPM**) and DoD priority placement requirements shall be followed (e.g., the DoD Program for Stability of Civilian Employment) (reference (c)), and the OPM Interagency Career Transition Assistance Plan for Displaced Employees as required by 5 **CFR** 330 (reference (b)).

5. Normally a supervisor will release an employee within two weeks after official notification that the employee has been selected **for** promotion.

6. Supervisors and managers who select subordinates are the **personnel** managers of the Department of Defense and have the rights and responsibilities of personnel managers. Included **in** their rights are the right to select or not to select from a referral certificate and the right to select from other appropriate sources.

7. Adequate records shall be maintained to allow reconstruction of each selection to provide necessary information as required by Part 335 of reference (b).

8. Interviews are encouraged. The selecting official may use discretion in **determining** which, and how many applicants, are interviewed using job-related questions. Selecting officials are responsible for defending their judgments.

D. **RESPONSIBILITIES**

1. The Director of Administration and Management, Office of the Secretary of Defense, shall develop policy within the organizations assigned for **administrative** support.

2. The Director, Personnel and Security, Washington Headquarters Services, **shall** establish operating policies and procedures.

3. The Assistant Director, **Staffing** and Classification Advisory Services, Directorate for **Personnel** and Security, shall:

a. Plan, administer, and provide advisory services regarding the merit promotion program.

b. Ensure that the area of consideration can be extended as **necessary** to produce a sufficient number of high quality candidates.

c. Provide guidance to the Human Resource Services Center on the implementation of the merit promotion program.

4. The Director, Human Resource Services Center, Washington Headquarters Services, shall:

a. Implement the merit promotion program.

b. Ensure **recordkeeping** to provide for reconstruction.

c. Ensure notification of OPM when recruitment includes candidates outside the agency.

d. Assist other agency officials in meeting their responsibilities under the merit promotion program. .

e. Ensure legal requirements are met before making final job offers.

5. The Selecting Official shall:

a. Support the merit promotion program by adhering to the policies and procedures in this Instruction.

b. Develop an evaluation plan based on job-related criteria.

c. Ensure appropriate consideration of employees absent for legitimate reason (e.g., on detail, on leave, at military courses, in the military service, or serving in public international organizations or on Intergovernmental Personnel Act assignments as required by 5 CFR 334 (reference (b))).

d. Ensure that provisions of **affirmative** action plans **are** considered in making selections.

6. Job Applicants shall:

a. Apply in accordance with the vacancy announcement.

b. Inform their current supervisor of interest in promotional opportunities in the event of extended absences.

E. PROCEDURES

1. This Instruction is applicable in filling **all** positions in the competitive service by:

a. Competitive promotion.

- b. Temporary promotion for more than 120 days.
- c. Transfer to a higher grade.
- d. Reinstatement to a grade higher than previously permanently held in the competitive service.
- e. Detail for more than 120 days to a higher grade.
- f. Reassignment, transfer or demotion to a position with more promotion potential than a position previously permanently held.
- g. Selection for training programs that are required before an employee may be considered for promotion (e.g., formal intern program, upward mobility program).

2. This Instruction does not apply to the following:

- a. Promotions resulting **from** an upgrade in the position without significant change in duties and responsibilities as a result of a classification decision.
- b. A position change **permitted** by reduction-in-force procedures.
- c. Promotion to **full** performance level when the promotion potential was made known in the original vacancy announcement.
- d. Promotion resulting from upgrading of a position due to added duties and **responsibilities**, when no **other employees in the** immediate organization are assigned to **the** same type of position.
- e. Promotion or detail to a higher **grade** position for 120 days or fewer.
- f. Repromotion to a grade previously permanently held, or movement to a position with promotion potential no greater than that previously permanently held.
- g. Consideration of candidates not considered properly in a previous competition.

3. Grievances related to the procedures used to **identify** and rank candidates are submitted under AI No. 37 (reference (d)) or negotiated grievance procedures.

F. EFFECTIVE DATE

This Instruction is effective immediately.



D. O. Cooke
Director